

AN ACT

relating to the creation of the Council on Children and Families.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 531, Government Code, is amended by adding Subchapter T to read as follows:

SUBCHAPTER T. COUNCIL ON CHILDREN AND FAMILIES

Sec. 531.801. DEFINITION. In this subchapter, "council" means the Council on Children and Families.

Sec. 531.802. COUNCIL ON CHILDREN AND FAMILIES. (a) The Council on Children and Families is established to:

(1) coordinate the state's health, education, and human services systems to ensure that children and families have access to needed services;

(2) improve coordination and efficiency in state agencies, advisory councils on issues affecting children, and local levels of service;

(3) prioritize and mobilize resources for children;
and

(4) facilitate an integrated approach to providing services for children and youth.

(b) The council shall:

(1) promote a common vision of desired outcomes for children and youth and of family and community supports;

(2) promote shared accountability for outcomes for

children and youth; and

(3) align allocations of resources with policies for children and youth.

(c) Subject to Subsection (d), the council is composed of the following:

(1) the executive commissioner;

(2) the commissioner of state health services;

(3) the commissioner of the Department of Family and Protective Services;

(4) the commissioner of aging and disability services;

(5) the commissioner of assistive and rehabilitative services;

(6) the commissioner of education;

(7) the executive director of the Texas Juvenile Probation Commission;

(8) the executive commissioner of the Texas Youth Commission;

(9) the executive director of the Texas Workforce Commission;

(10) the director of the Texas Correctional Office on Offenders with Medical or Mental Impairments;

(11) two public representatives who are parents of children who have received services from an agency represented on the council, appointed by the executive commissioner; and

(12) two representatives who are young adults or adolescents who have received services from an agency represented on the council, appointed by the executive commissioner.

1 (d) An individual listed in Subsections (c)(1)-(10) may
2 designate another individual as having authority to act on behalf
3 of the individual at council meetings and with respect to council
4 functions.

5 (e) The members of the council annually shall elect one
6 member to serve as the presiding officer.

7 (f) Council meetings are held at the call of the presiding
8 officer.

9 (g) The council is administratively attached to the
10 commission but is independent of direction by the commission or the
11 executive commissioner. The commission, through the commission's
12 Office of Program Coordination for Children and Youth, shall
13 provide administrative support and resources to the council as
14 necessary to enable the council to perform its duties.

15 (h) The agencies represented on the council shall provide
16 periodic staff support of specialists as needed to the council.

17 (i) The council is not subject to Chapter 2110.

18 Sec. 531.803. DUTIES. (a) The council shall:

19 (1) analyze the biennial legislative appropriations
20 requests of members of the council for services provided to
21 children and their families and identify appropriations that,
22 through the coordination of members of the council, could be
23 modified in the next legislative appropriation request to eliminate
24 waste or increase available services and, not later than May 1 of
25 each even-numbered year, prepare a report recommending those
26 modifications for consideration during the development of the next
27 biennial legislative appropriations request;

1 (2) investigate opportunities to increase flexible
2 funding for health, education, and human services provided to
3 children and their families;

4 (3) identify methods to remove barriers to local
5 coordination of health, education, and human services provided to
6 children and their families;

7 (4) identify methods to ensure that children and youth
8 receive appropriate assessment, diagnoses, and intervention
9 services;

10 (5) develop methods to prevent unnecessary parental
11 relinquishment of custody of children;

12 (6) prioritize assisting children in family settings
13 rather than institutional settings; and

14 (7) make recommendations about family involvement in
15 the provision and planning of health, education, and human services
16 for a child, including family partner and liaison models.

17 (b) The state agency members of the council may, as
18 appropriate, enter into memoranda of understanding with other
19 agencies to implement any method, process, policy, or
20 recommendation identified or developed under Subsection (a).
21 Before a method, process, policy, or recommendation is implemented,
22 the council shall:

23 (1) identify:

24 (A) the timeline and proposed outcome of
25 implementing the method, process, policy, or recommendation; and

26 (B) benchmarks that may be used to measure the
27 success of the implementation of the method, process, policy, or

1 recommendation; and

2 (2) assign to the appropriate members of the council
3 responsibility for implementing the method, process, policy, or
4 recommendation.

5 (c) The council may collect data necessary to conduct the
6 council's duties or implement the council's recommendations and
7 shall use any reports or information produced by other entities
8 related to children, youth, and families to inform the council.

9 Sec. 531.804. REPORT BY COUNCIL REGARDING CHILD WELFARE.
10 Not later than December 1 of each even-numbered year, the council
11 shall submit a report to the governor, lieutenant governor, speaker
12 of the house of representatives, and members of the legislature
13 that contains:

14 (1) the requests, plans, and recommendations of the
15 council, including recommendations of any legislation that is
16 needed to further develop and maintain a statewide system of
17 quality health, education, and human services for children and
18 families; and

19 (2) information regarding the implementation by the
20 members of the council of any method, process, policy, or
21 recommendation, including information regarding whether the
22 implementation has proceeded in accordance with the timeline,
23 outcome, and benchmarks identified by the council.

24 Sec. 531.805. SUNSET PROVISION. The Council on Children
25 and Families is subject to Chapter 325 (Texas Sunset Act). Unless
26 continued in existence as provided by that chapter, the council is
27 abolished and this subchapter expires September 1, 2019.

1 SECTION 2. The Council on Children and Families established
2 by Section 531.802, Government Code, as added by this Act, shall
3 convene its initial meeting not later than October 1, 2009.

4 SECTION 3. This Act does not make an appropriation. A
5 provision in this Act that creates a new governmental program,
6 creates a new entitlement, or imposes a new duty on a governmental
7 entity is not mandatory during a fiscal period for which the
8 legislature has not made a specific appropriation to implement the
9 provision.

10 SECTION 4. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1646 passed the Senate on May 6, 2009, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 29, 2009, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1646 passed the House, with amendment, on May 26, 2009, by the following vote: Yeas 139, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor